

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS**

No. 10-130V

Filed: August 5, 2014

RONALD S. HALL, JR. and TONI E. HALL, *
as parents and natural guardians of, *
P.H., *

Petitioners, *

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Respondent. *

Stipulation; Attorney Fees and Costs

Diana Stadelnikas Sedar, Esq., Maglio Christopher & Toale, P.A., Sarasota, FL for petitioners.

Traci R. Patton, Esq., US Department of Justice, Washington, DC for respondent.

DECISION ON ATTORNEY FEES AND COSTS¹

Vowell, Chief Special Master:

In this case under the National Vaccine Injury Compensation Program,² I issued a decision on March 7, 2014, that awarded compensation pursuant to the parties' joint stipulation. On August 4, 2014, the parties filed a stipulation for attorney fees and costs. The stipulation indicates that the parties discussed the fees and costs informally, and based on those discussions, the parties have agreed on \$49,000.00 in attorneys' fees and costs and \$7,005.18 in petitioners' costs for a total of \$56,005.18.

I find that this petition was brought in good faith and that there existed a reasonable basis for the claim. Therefore, an award for fees and costs is appropriate,

¹ Because this unpublished decision contains a reasoned explanation for the action in this case, I intend to post this decision on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). In accordance with Vaccine Rule 18(b), a party has 14 days to identify and move to delete medical or other information, that satisfies the criteria in 42 U.S.C. § 300aa-12(d)(4)(B). Further, consistent with the rule requirement, a motion for redaction must include a proposed redacted decision. If, upon review, I agree that the identified material fits within the requirements of that provision, I will delete such material from public access.

² The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2006).

pursuant to 42 U.S.C. §§ 300aa-15(b) and (e)(1). Further, the proposed amount seems reasonable and appropriate.

Accordingly, I hereby award the total \$56,005.18³ as follows:

- **a lump sum of \$49,000.00 in the form of a check payable jointly to petitioners (Ronald Hall, Jr. and Toni Hall) and petitioners' counsel of record (Diana Stadelnikas Sedar) for petitioners' attorney fees and costs, and**
- **a lump sum of \$7,005.18 in the form of a check payable to petitioners (Ronald Hall, Jr. and Toni Hall) for their personal litigation costs.**

The clerk of the court shall enter judgment in accordance herewith.⁴

IT IS SO ORDERED.

/s Denise K. Vowell
Denise K. Vowell
Chief Special Master

³ This amount is intended to cover all legal expenses incurred in this matter. This award encompasses all charges by the attorney against a client, "advanced costs" as well as fees for legal services rendered. Furthermore, 42 U.S.C. § 300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) that would be in addition to the amount awarded herein. See *generally Beck v. Sec'y, HHS*, 924 F.2d 1029 (Fed. Cir.1991).

⁴ Entry of judgment can be expedited by each party's filing of a notice renouncing the right to seek review. See Vaccine Rule 11(a).